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13  
14 IN THE UNITED STATES DISTRICT COURT  
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 elcommerce.com, Inc.,  
18 Plaintiff,  
19 v.  
20 SAP AG and SAP America, Inc.,  
21 Defendant.

Case No. 3:10-mc-80320 JSW (EMC)

Related to Civil Action No. No. 2:09-CV-04458-JD In the Eastern District of Pennsylvania

23 STIPULATED CONTINUANCE OF  
HEARING OF ELCOMMERCE'S  
MOTION TO COMPEL MCKESSON TO  
COMPLY WITH SUBPOENA ISSUED  
BY ELCOMMERCE *order*

24 Date: February 23, 2011  
25 Time: 10:30 am  
Courtroom: Courtroom C, 15th Floor  
Judge: Mag. Judge Edward M. Chen

## **STIPULATED CONTINUANCE OF HEARING**

2 Plaintiff elcommerce.com, Inc. files this Stipulated Continuance of Hearing for the  
3 hearing scheduled for February 23, 2011 at 10:30 a.m. before Magistrate Judge Edward M. Chen,  
4 450 Golden Gate Avenue, 15th Floor, Courtroom C, San Francisco, CA 94102, on elcommerce's  
5 Motion to Compel McKesson to Comply with Subpoena Issued by elcommerce filed December  
6 22, 2010.

7 elcommerce has conferred with the Courtroom Deputy Ms. Betty Lee and understands the  
8 Court is available to hear the referenced motion on May 25, 2011, at 3:00 p.m. before Magistrate  
9 Judge Edward M. Chen, 450 Golden Gate Avenue, 15th Floor, Courtroom C, San Francisco, CA  
10 94102. McKesson's Opposition shall be due May 4, 2011. elcommerce's Reply shall be due May  
11 11, 2011.

12 PLEASE TAKE NOTICE THAT elcommerce and McKesson stipulate to continue the  
13 hearing scheduled for February 23, 2011 at 10:30 a.m. before Magistrate Judge Edward M. Chen,  
14 450 Golden Gate Avenue, 15th Floor, Courtroom C, San Francisco, CA 94102, on elcommerce's  
15 Motion to Compel McKesson to Comply with Subpoena Issued by elcommerce filed December  
16 22, 2010, to May 25. 2011, at 3:00 p.m. before Magistrate Judge Edward M. Chen, 450 Golden  
17 Gate Avenue, 15th Floor, Courtroom C, San Francisco, CA 94102, or another time thereafter  
18 convenient to the Court. McKesson's Opposition shall be due May 4, 2011. elcommerce's Reply  
19 shall be due May 11, 2011.

20 McKesson has agreed to produce documents and witnesses responsive to elcommerce's  
21 subpoena in the short term. The parties have agreed to continue the hearing pending  
22 elcommerce's review of McKesson's production.

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1 Dated: February 4, 2011

Respectfully submitted,

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3 CHRISTOPHER R. BENSON  
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7 FULBRIGHT & JAWORSKI L.L.P.

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9 By /s/ Christopher R. Benson  
10 CHRISTOPHER R. BENSON  
11 Attorney for Plaintiff  
12 Elcommcerce.com, Inc.

13 Dated: February 4, 2011

14 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

15 By 

16 STEVEN H. WINICK  
17 BRIAN R. BLACKMAN  
18 Attorneys for Third-Party  
19 MCKESSON CORPORATION

20 IT IS SO ORDERED:

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23  
24 Edward M. Chen  
25 U.S. Magistrate Judge

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27  
28 Dated: 2/4/11

**CERTIFICATE OF SERVICE**

I certify that this pleading was served in accordance with the Federal Rules of Civil Procedure on all known counsel of record on February 4, 2011.

/s/ J. Reid Bumgarner  
J. Reid Bumgarner